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December 12, 2023

**VIA ECF**

Honorable Paul A. Engelmayer  
United States District Court  
Southern District of New York  
40 Foley Square, Room 2201  
New York, NY 10007

Re: *Kitchen Winners NY Inc. v. Rock Fintek LLC*, Case No. 22-cv-05276-PAE  
**ASSENTED TO Letter Motion to Adjourn December 19, 2023 Conference  
by One Day and to Extend Statistical Expert Deadline by One Week**

Dear Judge Engelmayer:

This firm represents Rock Fintek LLC. I write with the assent of all parties to request 1) an adjournment of the conference scheduled for December 19, 2023 at 3:30 p.m. to the late morning or early afternoon of December 20, 2023, and 2) a one-week extension of the December 18, 2023 deadline for expert reports for my statistician expert as a result of an accident that the expert suffered over the weekend.

On December 8, 2023, the Court ordered the parties to appear for a premotion conference on December 19, 2023 at 3:30 p.m. The undersigned counsel has a long-scheduled virtual mediation in a New Mexico state court case in which he is lead counsel at 11 a.m. ET on December 19, 2023. Counsel for JNS Capital Holdings LLC and Joel Stern has a deposition on the morning of December 19. All counsel are available through early afternoon on December 20. Counsel for Kitchen Winners NY Inc. and Adorama, Inc. is set to leave for a family vacation in the late afternoon on December 20. Accordingly, the parties respectfully request that the Court adjourn the December 19 premotion conference to a time convenient for the Court in the late morning or early afternoon of December 20, 2023.

In addition, the undersigned learned yesterday that Rock Fintek's statistician expert had a bad fall over the weekend while Christmas tree shopping, was hospitalized and has been laid up on strong pain medicine and barely mobile. He is expecting to make a reasonably quick recovery, but had his work interrupted by the accident. The other parties have agreed to Rock Fintek seeking one extra week just for this expert's report provided the other parties have the same extension for any rebuttal report. Rock Fintek makes this request reluctantly given the extraordinary circumstances and does not seek to extend the deadline for any other expert(s) that Rock Fintek plans to disclose.

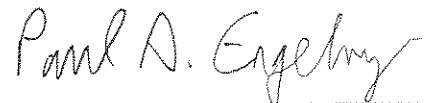
Respectfully submitted,

*/s/Phillip Rakhunov*  
Phillip Rakhunov

cc: All counsel (via ECF)

The Court is sorry to hear about Rock Fintek's statistician's accident and wishes him a speedy recovery. The Court will extend the deadline for that expert's report by one week. As to the pre-motion conference, the earliest the Court is available on December 20 is 3 p.m., and as such will adjourn the conference currently scheduled for December 19, 2023 to 3 p.m. on December 20. The conference remains in person.

SO ORDERED.



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PAUL A. ENGELMAYER  
United States District Judge

Dated: December 12, 2023